



Developmental Disabilities Services Division (DDSD)

Testimony Regarding Act 248 and Public Safety
Supports

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Act 248 (1 of 2)

Authorizes a state Criminal Court to civilly commit a person with an intellectual disability into the custody of Commissioner of the Department of Disabilities, Aging and Independent Living (DAIL).

Act 248 (2 of 2)

To be committed under Act 248, a person must:

- Have a qualifying intellectual disability.

And

- Present a danger of harm to others, i.e., be a person who has engaged in any of the following:
 - Sexual assault.
 - Lewd and lascivious conduct with a child .
 - Inflicting or attempting to inflict serious bodily injury upon another person.

Designated Program under Act 248 Commitment (1 of 2)

Developed in partnership by the Designated Agency/
Specialized Service Agency and DDS.

Services are individualized to meet the needs of the
person and address the level of public safety risk.

Additionally, supports must be designed to ensure the
individual the least restrictive setting and community
integration within the overall safety plan.

Designated Program under Act 248 Commitment (2 of 2)

Developing a full designated program generally takes between 8 to 12 months.

- Individuals may be supported in the community through partial programs while full supports are put into place.
- Presents risk of harm to self and others due to inadequate level of care during development stage.

Outlier experiences have required DOC custody to ensure public safety during development of designated program.

Act 248 Data



People in Commissioner's Custody

30 people

29 supported in the community

1 in DOC custody pending development of designated program



Residential Models

Group Living: 1

Shared Living: 11

Staffed Living: 15

Living with Family: 2



Average Increase in Census

2 individuals per year since 2021



Act 248 HCBS Budget

Min: \$86,930

Max: \$818,655

Average: \$263,500

Public Safety Supports

The Developmental Disabilities Services Division receives earmarked New Caseload funding annually to support individuals who pose a risk to public safety, more broadly than individuals than those committed to the custody of the Commissioner through Act 248.

The [State System of Care Plan for Developmental Disabilities Services](#) includes criteria and a Home- and Community-Based Services funding priority for Public Safety Funding.

Public Safety Funding Data



SFY2024 Public Safety Funding

Total
Appropriation:
\$1,208,520



Number Supported

Act 248: 30
Public Safety: 208
Total 238



Residential Models

Group Living
Live with Family
Shared Living
Staffed Living



Public Safety HCBS New Caseload Allocation

SFY2023 Average
New: \$182,060
Existing: \$103,145